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June 26, 2007

VIA E-MAIL

James G. Gilliland, Jr., Esquire
Townsend and Townsend and Crew LLP
Two Embarcadero Center
Eighth Floor
San Francisco, CA 94111-3834

**RE: Talecris Biotherapeutics, Inc. v. Baxter International, Inc.
and Baxter Healthcare Corp., C.A. No. 05-349-GMS**

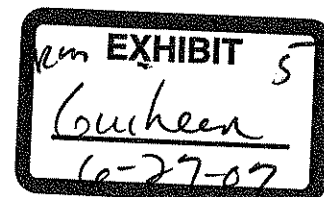
Dear Jim:

I am now in receipt of your communication late last night to Jaclyn Mason relating to Mr. Guiheen. You will recall at the pre-trial conference that the Court gave plaintiffs leave to depose Mr. Guiheen. At the pre-trial conference Baxter also made representations concerning the scope of Mr. Guiheen's trial testimony. This scope is currently the subject of a letter exchange pending before the Court. Based on a materially expanded deviation in the subject matter of the testimony, plaintiffs have sought to exclude Mr. Guiheen from testifying.

Nonetheless, on June 20, 2007, plaintiffs duly noticed the deposition of Mr. Guiheen, seven days in advance pursuant to Fed.R.Civ.P. and the Local Rules of the District of Delaware. This deposition notice was reconfirmed in a letter to you yesterday.

Baxter has now confirmed that Mr. Guiheen will be its "corporate representative" at trial. Baxter has yet to confirm, however, whether Mr. Guiheen will even testify at trial.

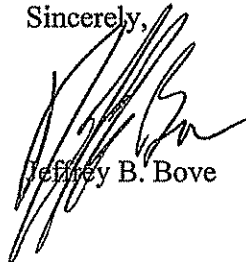
Since Baxter is asserting a counterclaim in this case and has purposely availed itself of the rules of procedure and practice of this judicial district, I can advise you that it is customary practice for corporate representatives, such as Mr. Guiheen, to appear in this judicial district for a deposition, particularly under the present circumstances. A failure to appear is a violation of the Federal Rules of Civil Procedure, the Local Rules of the Court, and it is contrary to long established customary practice. Consequently, should Mr.



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Guiheen fail to appear tomorrow, Plaintiffs will seek exclusion on this additional ground as well as such other relief as is necessary and appropriate.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey B. Bove", written over the printed name.

JBB/llw

cc: Philip Rovner (via e-mail)
Bradford J. Badke (via e-mail)
Mary W. Bourke

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